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PATENT  
Docket No. 234.00010123IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Buswell et al. )  
Serial No.: 10/633,766 )  
Confirmation No.: 5109 )  
Filed: 4 August 2003 )  
For: INTAKE DEVICE FOR USE WITH INTERNAL COMBUSTION ENGINES )

Group Art Unit: 3747  
Examiner: Erick R. Solis

TERMINAL DISCLAIMER

MAIL STOP AMENDMENT  
Commissioner for Patents  
Attn: Examiner Solis  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

CMB Enterprises, LLC is the owner of 100 percent interest in the instant application, as evidenced by an assignment recorded at Reel 013392, Frame 0965 on 21 October 2002, and is the owner of 100 percent interest in U.S. Patent No. 6,073,609, as evidenced by an assignment recorded at Reel 013392, Frame 0965, on 21 October 2002. The owner hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. §§154 to 156 and 173 as presently shortened by any terminal disclaimer, of prior U.S. Patent No. 6,073,609, issued 13 June 2000. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors, or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full

**Terminal Disclaimer**

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statutory term as defined in 35 U.S.C. §§154 to 156 and 173 of the prior patent, as presently shortened by any terminal disclaimer, in the event that the patent later: (1) expires for failure to pay a maintenance fee, (2) is held unenforceable, (3) is found invalid by a court of competent jurisdiction, (4) is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. §1.321, (5) has all claims canceled by a reexamination certificate, (6) is reissued, or (7) is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

The undersigned is an attorney of record as evidenced by the Power of Attorney dated 15 March 2000.

**FEE STATUS**

Please charge the required fee of \$65 under 37 C.F.R. §1.20(d) and any additional required fees to Deposit Account No. 13-4895. Please contact Applicants' Representative at the below-listed telephone number with any questions.

**CERTIFICATE UNDER 37 C.F.R. 1.8:**

The undersigned hereby certifies that this paper is being transmitted by facsimile in accordance with 37 CFR §1.6(d) to the Patent and Trademark Office, addressed to MAIL STOP AMENDMENT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this 29th day of December, 2004, at 2:39pm (Central Time).

*Jacquelyn K. Tobey*  
JACQUELYN K. TOBEY

29 Dec 2004

Date

Respectfully submitted for  
Buswell, et al.

By  
Mueting, Raasch & Gebhardt, P.A.  
P.O. Box 581415  
Minneapolis, MN 55458-1415  
Telephone (612)305-1220  
Facsimile (612)305-1228  
Customer Number 26813

*Mark J. Gebhardt*

Mark J. Gebhardt  
Reg. No. 35,518  
Direct Dial (612)305-1216